

REMARKS

This patent application presently includes claims 1-35. The Office Action being responded to was a Restriction Requirement with respect to Claim Group I, (claims 1-31) and Claim Group II (claims 32-35).

Provisionally, the undersigned elects Claim Group I for prosecution in this patent application. However, claim 32 has been amended so as to obviate the restriction requirement, making it improper. The requirement is therefore traversed.

The examiner's basis for the Restriction Requirement was that Claim Group I was drawn to a method and system for improving vision and Claim Group II is drawn to a method of outlines in the cornea of the eye. As amended, claim 32 is drawn to a method for improving vision. Accordingly, there is no longer any difference between the claim groups that the examiner can rely upon.

Moreover, the steps recited in claim 32 are a subset of steps would be performed to enable the point shifting of claim 1. Specifically, new claim 36, dependent from claim 1, incorporates the same steps as claim 32 and further defines how the shifting step of claim 1 is performed. Accordingly, there is linking and overlapping subject matter and a single, general inventive concept.

There can be no question that, in the process of searching claim 36 the steps of claim 32 will have to be searched as well. Therefore, searching claim 32 presents no additional burden to the USPTO.

For all of the above reasons, the Restriction Requirement should be withdrawn, and all of the claims presently in this application should be examined on their merits.

Together with this amendment, the undersigned has paid the fee for one additional, dependent claim, should it be determined that any additional fees are due with this paper, the Commissioner is requested to charge our Deposit Account No. 50-4711.

Respectfully submitted,

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